

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GARY GILLARD,

Plaintiff,

v.

9:03-cv-1537
(TJM/RFT)

JOHN W. BURGE; RONALD F. NELSON, SR.;
RAYMOND LUPO; RANDOLPH CALHOUN;
C.O. ATKINS; C.O. STANTON; C.O. HAILSTON;
and JOHN DOE,

Defendants.

THOMAS J. McAVOY
Senior United States District Judge


DECISION and ORDER

Plaintiff filed suit against Defendants pursuant to 42 U.S.C. § 1983. Defendants brought a motion for summary judgment. The matter was referred to the Hon. Randolph F. Treece, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

No objections to the February 20, 2007 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein and GRANTS the Motion for Summary Judgment and DISMISSES the petition as to the John Doe respondents. IT IS SO ORDERED.

Dated: April 5, 2007

2007


Thomas J. McAvoy
Senior, U.S. District Judge